

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

AMERICAN PETROLEUM
INSTITUTE and NATIONAL
PETROCHEMICAL AND REFINERS
ASSOCIATION,

Plaintiffs,

v.

ROY A. COOPER, III, ATTORNEY
GENERAL OF THE STATE OF
NORTH CAROLINA,

Defendant,

and

NORTH CAROLINA PETROLEUM
AND CONVENIENCE MARKETERS
ASSOCIATION,

JUDGMENT

No. 5:08-CV-396-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for a bench trial from February 18, 2014 through February 20, 2014.

IT IS ORDERED, ADJUDGED AND DECREED, in accordance with the court's order entered August 13, 2014, and for the reasons set forth more specifically therein, that this court finds and concludes that the Ethanol Blending Statute is not preempted by the Lanham Act and judgment is hereby entered in favor of defendants on plaintiffs' claim that the Ethanol Blending Statute is preempted by the Lanham Act.

This Judgment Filed and Entered on August 28, 2014, and Copies To:

Burley Bayard Mitchell, Jr. (via CM/ECF Electronic Notice of Filing)
Pressly M. Millen (via CM/ECF Electronic Notice of Filing)
Robert T. Numbers, II (via CM/ECF Electronic Notice of Filing)
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Henry B. Liu (via CM/ECF Electronic Notice of Filing)
Thomas L. Cabbage, III (via CM/ECF Electronic Notice of Filing)

August 28, 2014

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk